

**REMARKS**

The Examiner has required that the present application be restricted, under 35 U.S.C. §§ 121 and 372, to one of the following four (4) groups of claims.

Group I: Claims 1-2 and 19, drawn to a polypeptide and method for identifying herbicidal compounds therewith;

Group II: Claims 3-9, drawn to sense expression polynucleotides and plants transformed therewith;

Group III: Claims 10-16, drawn to antisense expression polynucleotide and plants transformed therewith; and

Group IV: Claims 17-18, drawn to a method for inhibiting plant growth.

In response, Applicants hereby elect, without traverse, the invention defined by the Examiner as Group IV, Claims 17-18, drawn to a method for inhibiting plant growth.

The Examiner has also required election of one of the following:

A: SEQ ID NO: 1 encoding SEQ ID NO: 2.

In response, Applicants note that all of the pending claims are directed to SEQ ID NO: 1 encoding SEQ ID NO: 2.

The response to the Restriction Requirement has been made without prejudice or disclaimer to any of the non-elected subject matter. Applicants expressly reserve the right to file one or more continuation and/or divisional applications directed to any of the non-elected subject matter.

**CONCLUSION**

In view of the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order. Such action is earnestly solicited.

In the event that there are any questions related to this response, or the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney at the below-listed telephone number concerning such questions so that prosecution of this application may be expedited.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: September 20, 2007

By:



Lisa E. Stahl  
Registration No. 56,704

P.O. Box 1404  
Alexandria, VA 22313-1404  
703 838-6609